

1 YAVAPAI COUNTY ATTORNEY'S OFFICE
2 Sheila Polk, SBN 007514
3 County Attorney
4 255 E. Gurley Street, 3rd Fl.
5 Prescott, AZ 86301
6 (928) 771-3344
7 ycao@co.yavapai.az.us
8 Attorneys for STATE OF ARIZONA

SUPERIOR COURT
COUNTY OF YAVAPAI

2010 JUL -7 PM 4:58

JEANNE NICKS, CLERK

BY: W. Adams

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE SUPERIOR COURT

STATE OF ARIZONA, COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

JAMES ARTHUR RAY,

Defendant.

V1300CR201080049

STATE'S EMERGENCY MOTION TO SEAL
EXHIBITS 66, 67 AND 68 ATTACHED
TO PLEADING FILED BY DEFENDANT
AND PROPOSED ORDER

Expedited Ruling Requested

(The Honorable Warren Darrow)

The State of Arizona, by and through Sheila Polk, Yavapai County Attorney, respectfully requests the Court to order the immediate sealing of Exhibits 66, 67 and 68 of the "Declaration of Truc T. Do in Support of Defendant James Arthur Ray's: Motion to Change Place of Trial Pursuant to Ariz. R. Crim. P. 10.3 and Motion to Compel Disclosure of All Information and Material Regarding the Medical Examiners' Opinions on Cause of Death," and remove these exhibits from all public access and electronic sites.

On March 16, 2010, this Court ordered the redaction of the autopsy reports of the three victims in this case and sealed the complete autopsy reports, ordering that the reports are "not to

1 be opened or reviewed unless there is further order of the Court.” *State v. Ray Minute Entry*
2 *dated March 16, 2010*. On June 29, 2010, the Defense filed a pleading entitled “Declaration of
3 Truc T. Do in Support of Defendant James Arthur Ray’s: Motion to Change Place of Trial
4 Pursuant to Ariz. R. Crim. P. 10.3; and Motion to Compel Disclosure of All Information and
5 Material Regarding the Medical Examiners’ Opinions on Cause of Death and Request for
6 Sanctions.” Attached to this pleading, in violation of the Court’s Order sealing the autopsy
7 reports, are Exhibits 66, 67 and 68, complete and unredacted copies of the autopsy reports.
8

9 The State therefore requests that this Court order the removal of Defendant’s Exhibits
10 66, 67 and 68 from all electronic sites and the sealing of these exhibits in the Clerk’s file.

11 RESPECTFULLY submitted this 7th day of July, 2010.

12
13 By Sheila Sullivan Polk
14 SHEILA SULLIVAN POLK
15 YAVAPAI COUNTY ATTORNEY

16
17 **COPIES** of the foregoing emailed this 7th day of July, 2010:

18 Hon. Warren Darrow
19 Dtroxell@courts.az.gov

20 Thomas Kelly
21 tkkelly@thomaskellypc.com

22 Truc Do
23 Tru.Do@mtto.com

24 By: Leung Chan
25
26

COPIES of the foregoing delivered this 7th day of July, 2010, to

Thomas Kelly
Via courthouse mailbox

Truc Do
Munger, Tolles & Olson LLP
355 S. Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560

Via U.S. Mail
By: Leung Chan